

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 11-13 and 15-27 are pending in the application, with claims 11, 17, 18, 20, and 21 being the independent claims. Claims 11, 15, 17, 18, 20-22, and 27 are sought to be amended. Applicants respectfully reserve the right to prosecute similar or broader claims, with respect to any cancelled and amended claims, in the future. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Statement of Substance of Interview

Pursuant to 37 C.F.R. § 1.133(b), Applicants provide the following statement of Substance of the Interview. Applicants express their appreciation to Examiner Chan Le and his Primary Examiner for the courtesy of a telephonic interview with Applicants' representatives on the evening of May 14, 2009.

During the interview, differences between the claims and U.S. Patent No. 6,609,198 to Wood et al. ("Wood") were discussed. In addition, proposed claim language was discussed to further distinguish the claims over the Wood reference, which was tentatively agreed to as being distinguishing. Applicants have amended independent claims 11, 17, 18, 20, and 21 herein to recite such proposed language.

Rejections under 35 U.S.C. § 103

Claims 11, 17, and 21

Claims 11, 17, and 21 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Japanese Patent Publication No. 2000-76336 to Fukuo Taro (“Taro”) in view of U.S. Pat. No. 6,609,198 to Wood et al. (“Wood”). Applicants respectfully traverse this rejection, the Examiner’s statements presented on pages 2-3 of the Office Action, and the Remarks stated on page 2 of the Advisory Action.

Independent claim 11 recites, among other features, “performing authentication of the user for the transaction after completing the transaction when a second one of the authentication level is determined.” Applicants submit that neither Taro nor Wood teach or suggest at least this feature of independent claim 11.

The Examiner states that the primary citation to Taro does not teach or suggest determining an authentication level. (Office Action, pages 4-5.) Therefore, Taro cannot teach or suggest (emphasis added) “performing authentication of the user for the transaction after completing the transaction ***when a second one of the authentication level is determined***” as recited in claim 11.

Wood does not cure the deficiency of Taro. Wood is directed to a security architecture that provides a single sign-on to gain access to multiple information resources. (Wood, 2:26-28.) Specifically, each information resource of Wood requires authentication to a particular trust level before access is granted:

If the entity requesting access has not been authenticated to the trust level required for the particular enterprise application or information resource requested...the access to the request is to be redirected...so that login credentials may be obtained and authenticated to a particular trust level. (Wood, 6:28-34.)

If prior authentication to a particular (or sufficient) trust level has been achieved, no further authentication (i.e., additional authentication) is required:

If, on the other hand, login credentials have already been obtained for the requesting entity and the requesting entity has been authenticated using the obtained credentials such that the required trust level has been achieved, the access will typically be allowed without further login credentials and authentication. (Wood, 6:34-40.)

The tiered authentication scheme proposed by Wood does not, however, perform authentication of a user for requested access to a particular enterprise application or information resource *after the requested access has already been granted*. Thus, as tentatively agreed to during the Interview, Wood does not teach or suggest (emphasis added) “performing authentication of [a] user *for the transaction after completing the transaction* when a second one of the authentication level is determined” as recited in claim 11.

For at least the reasons set forth above, Applicants submit that the combination of Taro and Wood cannot be used to establish a prima facie case of obviousness. Accordingly, Applicants respectfully request the rejection of claim 11 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Independent claims 17 recites “wherein authentication of the user is performed for *the* transaction *after* completing *the* transaction when a second one of the authentication level is determined.” As noted above, in regard to similar distinguishing features, using respective language, recited in claim 11, the combination of Taro and Wood fails to teach or suggest at least this feature. Accordingly, Applicants respectfully request the rejection of claim 17 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Independent claims 21 recites “performing authentication of the user for the transaction after completing the transaction when a second one of the authentication level is determined.” As noted above, in regard to similar distinguishing features, using respective language, recited in claim 11, the combination of Taro and Wood fails to teach or suggest at least this feature. Accordingly, Applicants respectfully request the rejection of claim 21 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 12 and 22-24

Claims 12 and 22-24 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Taro in view of Wood, and further in view of Japanese Patent Publication No. 2000-92236 to Fukai Shuichi et al. (“Shuichi”). Applicants respectfully traverse this rejection.

As noted above, Taro and Wood fail to teach or suggest each and every feature of independent claims 11 and 17. Shuichi does not cure the deficiencies of Taro and Wood with respect to independent claims 11 and 17. On pages 6-9 of the Office Action the Examiner states, which Applicants do not acquiesce to, Shuichi teaches the features of these claims. However, Shuichi is not used to teach or suggest, nor does Shuichi teach or suggest, at least the above-noted distinguishing features of claims 11 and 17. Thus, because Shuichi cannot be used to cure the deficiencies of Taro and Wood, the applied references cannot be used to establish a *prima facie* case of obviousness. Therefore, independent claims 11 and 17 are patentable over Taro, Wood, and Shuichi. Dependent claims 12 and 22-24 are similarly patentable over Taro, Wood, and Shuichi for at least the same reasons as claims 11 and 17, from which they respectively depend, and further

in view of their own respective features. Accordingly, Applicants respectfully request the rejection of claims 12 and 22-24 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 13 and 25

Claims 13 and 25 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Taro in view of Wood, further in view of Shuichi, and still further in view of Japanese Patent Publication No. 06-215009 to Watanabe Schunichi (“Schunichi”). Applicants respectfully traverse this rejection, and the arguments presented on pages 2-3 of the Office Action.

As noted above, Taro, Wood, and Shuichi fail to teach or suggest each and every feature of independent claims 11 and 17. Schunichi does not cure the deficiencies of Taro, Wood, and Shuichi with respect to independent claims 11 and 17. On pages 9-10 of the Office Action the Examiner states, which Applicants do not acquiesce to, Schunichi teaches the features of these claims. However, Schunichi is not used to teach or suggest, nor does Shuichi teach or suggest, at least the above-noted distinguishing features of claims 11 and 17. Thus, because Schunichi cannot be used to cure the deficiencies of Taro, Wood, and Shuichi, the applied references cannot be used to establish a *prima facie* case of obviousness. Therefore, independent claims 11 and 17 are patentable over Taro, Wood, Shuichi, and Schunichi. Dependent claims 13 and 25 are similarly patentable over Taro, Wood, Shuichi, and Schunichi for at least the same reasons as claims 11 and 17, from which they respectively depend, and further in view of

their own respective features. Accordingly, Applicants respectfully request the rejection of claims 13 and 25 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 15, 16, 26 and 27

Claims 15, 16, 26 and 27 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Taro in view of Wood, and further in view of Schunichi. Applicants respectfully traverse this rejection.

As noted above, Taro and Wood fail to teach or suggest each and every feature of independent claims 11 and 17. Schunichi does not cure the deficiencies of Taro and Wood with respect to independent claims 11 and 17. On pages 10-11 of the Office Action the Examiner states, which Applicants do not acquiesce to, Schunichi teaches the features of these claims. However, Schunichi is not used to teach or suggest, nor does Shuichi teach or suggest, at least the above-noted distinguishing features of claims 11 and 17. Thus, because Schunichi cannot be used to cure the deficiencies of Taro and Wood, the applied references cannot be used to establish a *prima facie* case of obviousness. Therefore, independent claims 11 and 17 are patentable over Taro, Wood, and Schunichi. Dependent claims 15, 16, 26, and 27 are similarly patentable over Taro, Wood, and Schunichi for at least the same reasons as claims 11 and 17, from which they respectively depend, and further in view of their own respective features. Accordingly, Applicants respectfully request the rejection of claims 5, 16, 26, and 27 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claims 18, 19, and 20

Claims 18, 19, and 20 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Shuichi in view of Taro, and further in view of Wood. Applicants respectfully traverse this rejection.

Independent claims 18 and 20 respectfully recite, among other features, “receiv[ing], from a host computer, *a request for information regarding authentication of a user at a service device*, wherein the request is *in response to a transaction at the service device*” and “wherein the request for information is received *after the transaction has completed* when a second one of an authentication level is used for *the* transaction” (emphasis added).

Applicants submit that neither Shuichi, Taro, nor Wood teach or suggest at least the aforementioned feature of independent claims 18 and 20. As noted above in regard to similar distinguishing features, recited using respective language, in claims 11, 17 and 21, the applied references do not teach or suggest at least the above-noted distinguishing features of claims 18 and 20. Thus, for at least the reasons set forth above, Applicants submit that independent claims 18 and 20 are patentable over Shuichi, Taro, and Wood. Dependent claim 19 is similarly patentable over Shuichi, Taro, and Wood for at least the same reasons as independent claim 18, from which it depends, and further in view of its own respective feature. Accordingly Applicants respectfully request the rejection of claims 18, 19, and 20 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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